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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,743	08/24/2001	Meng-Ta Chen	3626-0214P	9909
2292	7590	03/30/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			CHANG, RICHARD	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/935,743	CHEN, MENG-TA	
	Examiner	Art Unit	
	Richard Chang	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) 16-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7-10 are rejected under the second paragraph of 35 U.S.C. 112.

Regarding claim 7, Claim 7 recites the limitation "... transmitted in the voice packet-transmitting step" in line 4, claim 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 and 11-15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US patent application publication No. 2003000267 A1 ("Miyauchi et al.").

Regarding claims 1 and 11, Miyauchi et al. teach an Internet telephone talking device adapter (12, non-server type voice packet communication device) and network access method (see Fig. 3) comprising of

a STN_line_signal_transmitting_unit (1100 as an IP address inquiring module), which transmits an IP address inquiring signal to a second talking device adapter (non-server type voice packet communication device) via PSTN (13, using dial tones),

a STN_line_signal_receiving_unit (1100 as an IP address receiving module), which receives an IP address data transmitted from the second non-server type voice packet communication device via PSTN (13, using dial tones), and

IP_network_communication_processing_unit (5000 as a voice packet transmitting module_, which transmits at least one voice packet to the second talking device adapter (12, non-server type voice packet communication device) according to the IP address data (14) (See Fig. 3, page 10, section [0158]).

Regarding claims 2 and 12, Miyauchi et al. further teach a Tel.No./IP address translation unit (300 as telephone number receiving module) which receives a telephone number from a first telephone (10) wherein the as the STN_line_signal_transmitting_unit (1100 as IP address inquiring module) transmits the IP address inquiring signal to the Internet telephone talking device adapter (12, non-server type voice packet communication device) according to the telephone number (See Fig. 8, page 13, section [0177-0183]).

Regarding claims 3 and 13, Miyauchi et al. further teach an IP address learning unit (200 as IP address recording module), which records the received IP address data in an IP address record table (302) that stores the correspondence relations between the IP address data and a telephone number (See Fig. 8, page 13, section [0177-0183]).

Regarding claims 4 and 14, Miyauchi et al. further teach a Tel.No./IP address translation unit (300 as correspondence record inquiring module), which checks whether the correspondence relation for the IP address data and the telephone number already exists in the IP address record table and transmits to voice packet according to the IP address data stored in the IP address record table when the relation exists (See Fig. 9, page 13, section [0184-0187]).

Regarding claims 5 and 15, Miyauchi et al. further teach a IP_network_communication_processing_unit (5000 as a checking module) which checks whether the voice packet is successfully sent to the Internet telephone talking device adapter (12, on-server type voice packet communication device) (See Fig. 9, page 7-8, section [0089-0092]).

Regarding claim 6, Miyauchi et al. further teach that the STN_line_signal_transmitting_unit (step 1 as IP address inquiring step) is performed when the voice packet cannot be successfully sent to the Internet telephone talking device adapter (12, on-server type voice packet communication device) (See Fig. 8, page 13, section [0177-0183])

Regarding claims 7 and 16, Miyauchi et al. further teach that the Internet telephone talking device adapter (12, on-server type voice packet communication device) couples to an HTTP Relay Server (18 as Network Address Translator (NAT)) and the Internet telephone talking device adapter (12, on-server type voice packet communication device) receives the voice packet through the HTTP Relay Server (18 as NAT) (See Fig. 26, page 7-8, section [0089-0092]).

Allowable Subject Matter

5. Claims 16-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

Examiner's Statement of Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance:

The prior art along or in combination fails to teach or make obvious the limitations that specifically comprises:

"wherein the second non-server type voice packet communication device couples to an NAT (Network Address Translator); and the second non-server type voice packet communication device receives the voice packet through the NAT" as recited in the dependent claim 16.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rk
rk

Richard Chang
Patent Examiner
Art Unit 2663

Ricky Ngo
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PRIMARY EXAMINER

3/21/05